U.S. DISTRICT COURT DISTRICT OF N.H. FILED

2005 AUG 11 P 3: 41

## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Albert A. Kuperman

v.

Case No. 05-cv-185-PB

<u>Commissioner</u>, <u>New Hampshire</u> <u>Department of Corrections</u>, et al.

## ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated July 29, 2005, for the reasons set forth therein. Plaintiff's complaint is hereby dismissed without prejudice.

SO ORDERED.

August  $\bigvee$ , 2005

Paul Barbadoro

United States District Judge

cc: Albert A. Kuperman, pro se